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Attorney Docket No. 0040-10

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Patent of: Holam Chau  
Patent No.: 7,090,414  
Application No.: 10/806,537  
Dated: August 15, 2006  
For: **AUTOMATIC APPARATUS FOR CLEAVING OPTICAL FIBER  
WAVEGUIDES**  
Docket No.: 0040-10

Bedminster, N.J. 07921  
December 26, 2006

ATTN: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 CFR 1.323**

It is certified that error appears in the above-identified patent and that said Letters

Patent is hereby corrected as follows:

Remarks begin on page 2 of this paper.

Form PTO/SB/44 is attached to this paper.

**Certificate**  
JAN 04 2007  
**of Correction**

12/29/2006 SSITHIB1 00000031 7090414

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JAN 11 2007

### **Remarks**

U.S. Patent Application entitled "Automatic Apparatus For Cleaving Optical Fiber Waveguides" bearing Serial No. 10/806,537 was filed March 23, 2004 (hereinafter the '537 Application). The '537 Application claimed priority based on U.S. Provisional Application No. 60/457,037, filed March 25, 2003. The '537 Application, as originally filed, included five (5) sheets of drawings, as noted on each of the Patent Application Transmittal Letter, Return Postcard, and Official Filing Receipt, respectively. The '537 Application published on September 30, 2004 as Publication No. 2004/0190850, depicting the five (5) sheets of drawings as originally filed.

An Office Action was mailed October 18, 2005, in which the Examiner objected to the drawings because he stated that (i) certain features of the claimed limitations were not shown in the drawings; and (ii) in Fig. 5, the numerical features 274 and 256 were undefined both in the drawings and in the specification, and in the specification, numerical numbers 262, 2678, 254 concerning features were not shown in the drawings.

An Amendment in the '537 Application in reply to the Office Action dated October 18, 2005 was filed on January 17, 2006. This Amendment contained several amendments to the specification. In the "Detailed Description of the Preferred Embodiments" each occurrence of the phrase "Fig. 4" was replaced with the phrase "Fig. 5", and each occurrence of the phrase "Fig. 5" was replaced with the phrase "Fig. 4". Further, a replacement drawing for Fig. 4 was submitted, which corresponded with Fig. 5 of the specification, as originally filed. However, a replacement drawing should have also been submitted for Fig. 5, the replacement figure being Fig. 4 of the specification, as originally filed.

A Notice of Allowance was mailed March 31, 2006, and the '537 Application issued on August 15, 2006 as U.S. Patent No. 7,090,414 (hereinafter the '414 patent).

Submitted herewith on the attached Form PTO/SB/44 is a replacement Fig. 5. The replacement Fig. 5 is the same as the original Fig. 4, as contained in the specification, as originally filed. It is respectfully submitted that replacement Fig. 5 does not constitute new matter and does not require reexamination. Further, this mistake was made in good faith and is of minor character. In addition, this correction is not subject to reasonable debate based on consideration of the claim language and the specification; and the prosecution history does not suggest a different interpretation. For these reasons, it is respectfully submitted that the submission of a replacement Fig. 5 should be allowed under the provisions allowed for by a Certificate of Correction.

Enclosed herewith is a check in the amount of \$100, to cover the fee for this Certificate of Correction. In the event that any additional fee is deemed to be required by 37 C.F.R. 1.20(a), it is requested that such additional fee be charged to Deposit Account No.: 50-3832.

JAN 11 2007

**Conclusion**

In view of the replacement drawing for Figure 5 as submitted on the attached Form PTO/SB/44 and the remarks set forth above, it is respectfully requested that a Certificate Of Correction be issued for USP 7,090,414.

Respectfully submitted,  
Holam Chau



By \_\_\_\_\_  
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(His Attorney)  
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JAN 11 2007

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

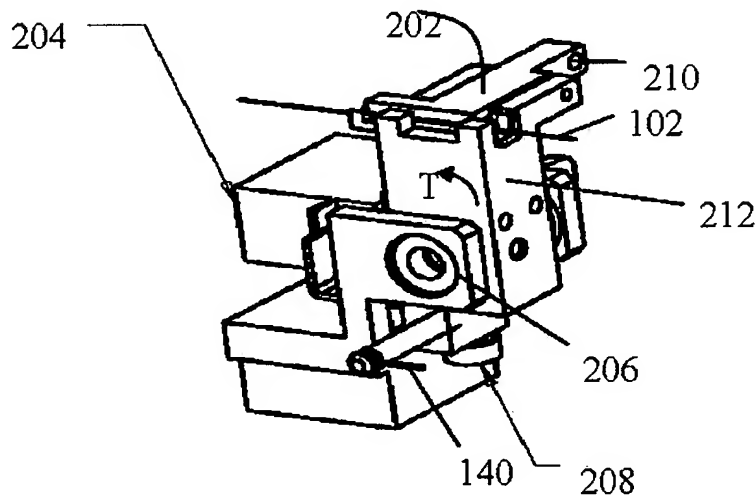
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PATENT NO. : 7,090,414  
APPLICATION NO.: 10/806,537  
ISSUE DATE : August 15, 2006  
INVENTOR(S) : Holam Chau

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the drawings, Fig. 5 should be replaced with the following Replacement Sheet:

**Fig. 5**



**MAILING ADDRESS OF SENDER (Please do not use customer number below):**

Ernest D. Buff & Associates, LLC  
231 Somerville Road, Bedminster, NJ 07921

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*